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LETTER DATED 28 APRIL 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit, enclosed herewith, the letter of His Excellency Mr. Vladislav Jovanović Minister of Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

Belgrade, 26 April 1994

In your letter of 31 March 1994 you conveyed NATO's denial of the violation of the territory of the Federal Republic of Yugoslavia by its military aircraft.

Without commenting the unconvincing character of this denial, I am compelled to inform you again that the NATO air forces controlling the airspace of former Bosnia-Herzegovina, continue to flagrantly violate the airspace of the FR of Yugoslavia:

On 14 April 1994, NATO aircraft violated the airspace of the FR of Yugoslavia three times:

- from 04:51-04:53 a.m. in the Peruca/Tara/area 5-6 km deep, at the altitude of 8,500 m,

- from 12:14-12:16 p.m. in the Zvornik-Krupanj area 15-20 km deep, at the altitude of 8,100 m, and

- from 01:19-01:24 p.m. in the Loznica-Zvornik area approximately 10 km deep at the altitude of 7,000 m.

These frequent violations of the airspace of the FR of Yugoslavia by NATO air forces are unacceptable and are carried out in excess of the mandate established under Security Council resolution 781 of 9 October 1992 on the no-fly zone in Bosnia-Herzegovina. They also constitute a serious provocation and pose a dangerous threat both to the peace process and peace and stability in the region.

The Government of the FR of Yugoslavia is greatly concerned over the continued practice of systematic violation of its airspace and wishes to draw attention to the fact that NATO and the United Nations, which have enlisted NATO forces in former Bosnia-Herzegovina, are assuming great responsibility for all the consequences of these acts.

Your Excellency will understand that these violations of the airspace of the Federal Republic of Yugoslavia constitute a violation of its sovereignty and territorial integrity and that they constitute an open threat to its security.

Particularly worrisome is the fact that these violations of the airspace of the FR of Yugoslavia are being made under the auspices of the United Nations and that, so far, the world Organization has taken no measures to prevent them.

Excellency,

Confident that you will understand and appreciate the facts that I have presented, I am writing to you to kindly request once again that you take appropriate measures, both within the United Nations and towards the NATO command to prevent further dangerous provocations.

(Signed) Vladislav JOVANOVIĆ

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/525
2 May 1994

ORIGINAL: ENGLISH

LETTER DATED 29 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a letter addressed to you by H.E. Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of that letter and its enclosure, which contains a letter dated 25 April 1994 sent to you by H.E. Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, could be circulated as a document of the Security Council.

(Signed) Inal BATU
Ambassador
Permanent Representative

Annex

Letter dated 29 April 1994 from Mr. Osman Ertuğ
to the Secretary-General

I have the honour to enclose herewith a copy of a self-explanatory letter dated 25 April 1994, addressed to you by H.E. Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

Enclosure

Letter dated 25 April 1994 from Mr. Rauf Denktas
to the Secretary-General

Further to your report of 4 April 1994 (S/1994/380), I wish to share with you some of my views and evaluation regarding the latest developments in the proximity talks aimed at building confidence between the two sides in Cyprus.

Before giving you my views and evaluation, I wish to reconfirm that we fully support your mission of good offices and are sincerely committed to cooperating with you and your representatives in your efforts to seek a resolution in Cyprus that requires the equal participation of the two communities and must be decided upon by and be acceptable to both sides (see S/21393).

From the outset, the Turkish Cypriot side has been advancing the view that the deep crisis of confidence between the two sides is the main cause for the absence of progress in your efforts towards achieving a fair, realistic and viable overall settlement. As I expressed earlier, it is with this conviction that the Turkish Cypriot side has shared and supported your accurate analysis reflected in your report of 19 November 1992 (S/23830, para. 63) that:

> "It appears from the recent joint meetings that there exists a deep crisis of confidence between the two sides. It is difficult to envisage any successful outcome to the talks for as long as this situation prevails."

It was on the basis of the above analysis that the confidence-building package was introduced with the rationale that prospects for progress would be greatly enhanced if a number of confidence-building measures were adopted by each side and a new climate of confidence created to advance the goal of concluding a mutually acceptable overall settlement.

The main assumption in this new initiative was that the provision of real, tangible, considerable, proportionate and balanced benefits would contribute towards the creation of a new climate of confidence between the two sides. With this in mind, the package of confidence-building measures developed by you summarized the benefits to accrue to the two communities as follows:

> "For the Turkish Cypriot side, it would mean the lifting for all practical purposes of the economic obstacles that have been weighing so heavily on their community, especially as regards overseas travel and trade, and the development of a significant tourist industry. For the Greek Cypriot side, it would open the way for owners of property in the fenced area of Varosha to reclaim possession of their property and start using it again" (S/26026, para. 47).

The package comprised 14 specific measures.

You will recall that, both during the preparatory phase in Nicosia during April-May 1993 and subsequently at the joint meetings held in New York under

your auspices, the Turkish Cypriot side had proposed that, in return for the handing over of the fenced area of Varosha to United Nations administration, the existing embargo on the Turkish Cypriot side be lifted. In this context we had specifically insisted that the prevailing embargo on Ercan airport and seaports in Northern Cyprus be lifted as a matter of priority.

In spite of the above position, in order to contribute towards reaching an agreement on the confidence-building measures package, we displayed our good-will by not insisting on the complete lifting of the embargo on our airport and ports and by agreeing merely to the easing of economic obstacles on the travel, trade and tourism of Turkish Cypriots through the reopening of Nicosia International Airport under United Nations administration. In so doing, we relied on the assurance given to us by the United Nations that the benefits that would accrue to the Turkish Cypriot side by the reopening of Nicosia International Airport under United Nations administration would be the same as those which would accrue if the embargo on Ercan airport had been lifted. Subsequently, this assurance was recorded in your report of 1 July 1993 as follows:

> "... Once again, the proposed arrangements were adjusted, with the agreement of Mr. Clerides ... (b) to overcome existing economic obstacles and provide the Turkish Cypriot side the same benefits at Nicosia International Airport that they wished to have at Ercan airport through a provision that would open Nicosia International Airport to Turkish-registered airlines" (S/26026, para. 26).

This assurance emanated from the basic objective and benefit that:

> "... The United Nations would none the less try very hard to secure agreement on a package, the practical effect of which would be to lift most of the commercial obstacles encountered by the Turkish Cypriot side" (ibid., para. 13).

The provisions of the confidence-building measures package were brought to the attention of the world community by paragraphs 37, 38, 42 and 43 of, and annex I to, your report of 1 July 1993. I am sure you share my conviction that the guiding considerations of the confidence-building measures package are at least as important as the contents of the package itself. The main guiding considerations, which the Turkish Cypriot side has taken into account while formulating its views, understandings and position in regard to the confidence-building measures package and which are contained in your various reports and correspondence, are as follows:

(a) Given the purpose of confidence-building measures, it is inevitable that neither side seek any political advantage or require the other side to make political concessions in this context (ibid., para 13 and the agreement entitled "Arrangements for working out the modalities for implementing the package of confidence-building measures" dated 15 February 1994 (S/1994/262, annex II));

(b) The benefits to accrue to each side would have to be significant in practical terms, but neither side should be asked to adopt measures that would

require it, directly or indirectly, to change its position on the political status of the other (S/26026, para. 13);

(c) The reopening of Nicosia International Airport in the manner set out above (i.e. in the manner as set out in paragraph 43 of your report of 1 July 1993) would have a profound impact on the economic situation of the Turkish Cypriot community. It would provide a direct link with the economies of other countries. The Turkish Cypriot community would be able to export products and produce direct to overseas markets and to import in a similar manner. In addition, the way would be open for it to attract a significant direct flow of foreign tourists to the northern part of the island. It would also enable Turkish Cypriots to travel overseas unhindered, direct from Nicosia (ibid., para. 44);

(d) The content of the fenced area of Varosha and Nicosia International Airport package as set out in paragraphs 37, 38, 42 and 43 of your report will be faithfully adhered to (your letters of 17 December 1993 (S/1994/262, annex I) and 3 February 1994 and the agreement entitled "Arrangements for working out the modalities for implementing the package of confidence-building measures", dated 15 February 1994;

(e) There is ample scope for the two leaders to agree on a schedule for implementing the package that will bring real and tangible benefits to both sides at each stage (S/26026, para. 27);

(f) Arrangements will need to be agreed to enable Turkish Cypriots to travel overseas unhindered, direct from Nicosia. This represents a key benefit of the package for the Turkish Cypriot community, and an agreement for implementing the package is difficult to envisage without there being agreed arrangements in this regard (S/1994/262, para. 31);

(g) Your appeal to both leaders to accept in principle the package of confidence-building measures as set out in paragraphs 37, 38, 42 and 43 of your report of 1 July 1993 on the understanding that its provisions will be fully implemented (see S/1994/262, annex I);

(h) The benefits would be relatively greater for the Turkish Cypriot side because of the relative size of its economy and their impact in alleviating the serious obstacles currently confronting the Turkish Cypriot economy (see ibid.).

The progress made during the joint meetings held in New York in May 1993 was duly reported and set out as the confidence-building measures package in your report of 1 July 1993. At the conclusion of the New York joint meetings, it appears that you were convinced that the Greek Cypriot leader had accepted the confidence-building measures package. This was reflected in your reports as follows:

> "... The discussions from 24 May to 1 June revealed that the Greek Cypriot side was agreeable to the arrangements proposed for Varosha and Nicosia International Airport" (S/26026, para. 19).

"... It was agreed that Nicosia International Airport would be open to foreign airlines, and that airlines registered in the Republic of Turkey would enjoy the same rights" (ibid., para. 23).

"... Mr. Clerides reaffirmed that the Greek Cypriot side was agreeable to the provisions proposed for Varosha and Nicosia International Airport" (S/26438, para. 9).

I evaluated your letter of 17 December 1993 requesting the leaders of both communities to accept in principle the package of confidence-building measures as set out in paragraphs 37, 38, 42 and 43 of your report of 1 July 1993 (on the basis of (a) the understandings, considerations and guiding principles which you expressed regarding the package; (b) the reports of the international team of experts that you sent to Cyprus; and (c) your statement that Mr. G. Clerides had accepted the package. In doing so I took as a tangible safeguard your understanding that the provisions of the package would be fully implemented. Consequently, I informed you with my letters of 20 and 28 January 1994 that the Turkish Cypriot side had accepted, in principle, the package set out in paragraphs 37, 38, 42 and 43 of your report of 1 July 1993.

As you are well aware, we have long-established positions concerning some specific provisions of the confidence-building measures package. The main one of these is our position concerning the area north of Dhimokratias Street in the fenced area of Varosha, which we have consistently maintained since 1978. Nevertheless, bearing in mind the statements and encouragement made particularly by you, your representatives and third parties that there would be no question of adding to or subtracting from the contents of the package and that the contents of the package should be wholly accepted, I decided to show maximum flexibility. In order to secure the necessary political support for the confidence-building measures package in Parliament, I particularly emphasized statements made by United Nations authorities to the effect that there would be no additions to or subtractions from the package. I explained to my people on the basis of your reports why international direct flights to and from Ercan Airport had not been included in the package and how the benefits that the Turkish Cypriot side wished to enjoy at Ercan airport would be enjoyed at Nicosia International Airport. Taking into account the statements of United Nations authorities and the reports of the international team of experts, I promised to my people that there would be separate satellite terminals at Nicosia International Airport where customs and immigration formalities would be conducted. Furthermore, I elaborated the understanding that there would be equal benefits at every stage of the implementation of the provisions of the package.

In your letter of 3 February 1994, you urged us to respect four basic considerations. One of these considerations was, as I mentioned above, that the content of the package set out in my report of 1 July 1993 should be faithfully adhered to. Bearing in mind the above-mentioned basic considerations, you had encouraged us, in your letter, to pursue intensive discussions in Nicosia with your representatives, beginning in mid-February, to work out an agreement on the limited number of key issues relating to the modalities for implementing the confidence-building measures package. I again wish to repeat here that, in all the contacts that I had with your representatives, I faithfully adhered to all

the basic considerations you had asked us to respect. Moreover, the basic consideration that the content of the fenced area of Varosha and Nicosia International Airport package as set out in paragraphs 37, 38, 42 and 43 will be faithfully adhered to was actually incorporated into the agreement reached on 15 February 1994 (S/1994/262, annex II).

The confidence-building measures package as contained in paragraphs 37, 38, 42 and 43 of, and annex I to, your report of 1 July 1993 was endorsed by the Security Council and your effort to bring about an agreement was supported. The Security Council, in its letters of 7 July (S/26050) and 20 September 1993 (S/26475) demonstrated its support for the package. Furthermore, the Security Council, by its resolutions 889 (1993) of 15 December 1993 and 902 (1994) of 11 March 1994 has openly declared its support for the package contained in your report of 1 July 1993. In its resolution 902 (1994) the Security Council expressed its pleasure with the acceptance of the said package in principle by the two sides.

In your report of 4 March 1994, you stated that your representatives "... can now bring forward, in regard to each of the main issues in the agreed agenda, ideas that ought to enable the two leaders to reach common understandings on the implementation of the package" (ibid., para. 34). This procedure was welcomed by the Security Council in paragraph 3 of its resolution 902 (1994) of 11 March 1994).

In the course of the "proximity talks" in Cyprus, your representatives on 9 and 21 March 1994 put forward to the two sides some ideas regarding the key issues on the agenda that were marked "Strictly confidential" and that were headed "Draft ideas for the implementation of the package of confidence-building measures". Our understanding is that these ideas would help the two leaders to bring about a mutually agreed draft agreement. This understanding is confirmed in your report of 4 March 1994 where you state that "... it should be possible for my Representatives, in line with the agreement reached on 15 February, to put forward ideas on each of the seven issues with a view to helping the two leaders to reach a formal agreement on the package quickly" (para. 16).

We have established that in the ideas presented to us there are fundamental departures from some basic issues of the confidence-building measures package as set out in your report of 1 July 1993 that we had accepted in principle. We brought this critical development to the attention of your representatives. We, therefore, requested your representatives to continue their contacts with the two sides in order to ensure that the content of the "ideas" conformed with the letter and spirit of the confidence-building measures package as set out in your report of 1 July 1993 and with the considerations that formed the basis of the package. The reply that was given to me was to the effect that the ideas, as contained in the "non-paper" of 21 March 1994, cannot be changed and that unless we accepted those ideas the matter would be reported to the Security Council! I thus learned that the strictly confidential ideas presented to us by your representatives, supposedly with a view to helping us to reach a formal agreement on the package, were in fact draft agreements and not "non-papers" for our consideration.

The Turkish Cypriots side sincerely desires the implementation of measures that will contribute towards the building of mutual confidence between the two sides in Cyprus and is eager to continue to participate constructively in all efforts aimed at this objective.

I fully appreciate that the objective of the work we started with your representatives on 15 February 1994 was to identify the modalities for the implementation of the confidence-building measures package as set out in your report of 1 July 1993. I also appreciate that a text that aims at detailing modalities for implementation has to be more comprehensive as compared with the confidence-building measures text set out in your report. However, I am sure you will agree with me that any such text should include all the basic elements of paragraphs 37, 38, 42 and 43 of your report of 1 July 1993 and at the same time comply with the considerations on which the package is based.

The points to which you state in your report of 4 April 1994 (S/1994/380) that I had objected in fact either relate to elements that are different from those contained in your report of 1 July 1993 or are points that do not comply with the considerations on which the package is based. There are four such main points and I give below our views on each of them:

1. Schedule for the implementation of the Varosha/Nicosia International Airport package, especially regarding the timing of benefits to the Turkish Cypriot side

The balanced benefits to accrue to the two sides, as established by the confidence-building measures package, emanate from two sources: the fenced area of Varosha and Nicosia International Airport. There is a close linkage between these two sources of benefits and it is for this reason that the confidence-building measures package is often referred to as the "Varosha and Nicosia International Airport package". This point is confirmed in your reports, where it is pointed out that the tangible benefits accruing to the Greek Cypriot side are derived from Varosha and those accruing to the Turkish Cypriots are predominantly derived from Nicosia International Airport. Paragraphs 44 and 47 of your report of 1 July 1993, to which I have referred above, specifically highlight this point.

You rightly point out in paragraph 27 of your report of 4 March 1994 that "... there is ample scope for the two leaders to agree on a schedule for implementing the package that will bring real and tangible benefits to both sides at each stage".

Nevertheless, the schedule that is envisaged in the ideas for the implementation of the package does not permit the realization of the above guideline. Bearing in mind the Varosha/Nicosia International Airport linkage, the suggested schedule would not have satisfied the critical material and psychological benefits that would have accrued to the Turkish Cypriot side by the reopening of Nicosia International Airport, at the time when the large area south of Dhimokratias Street of the fenced area of Varosha will have been opened for Greek Cypriot rehabilitation, thus facilitating the satisfaction of critical material and psychological benefits through the reclaiming of possession of

properties. As you are aware, the United Nations experts estimate that it will take a minimum of 12 to 18 months for Nicosia International Airport to be operational.

As I have pointed out above, in your report of 4 March 1994 (S/1994/262, para. 31), you had emphasized that the arrangements that would enable Turkish Cypriots to travel overseas unhindered and direct from Nicosia International Airport represented a key benefit of the package and this is how I presented the matter to my people. Let alone the violation of your synchronization guideline referred to above, I sincerely believe that you will appreciate that it would not be politically possible for me to tell my people and to find convincing arguments that we would be able to benefit from Nicosia International Airport only at least 10 months after the transfer of the fenced area of Varosha to the United Nations administration and at least 8 months after the opening of the larger part of the fenced area of Varosha to the south of Dhimokratias Street to Greek Cypriot rehabilitation.

I appeal to you to help us to ensure the upholding of your guiding consideration that the package will bring real and tangible benefits to both sides at each stage (ibid., para. 27).

2. Arrangements concerning traffic rights at Nicosia International Airport

You had asked us to accept in principle the following provision of the confidence-building measures package as set out in paragraph 43 of your report of 1 July 1993, which you indicated that Mr. G. Clerides had accepted in New York back in May 1993:

> "Traffic rights at the airport would be limited to foreign airlines that have traffic rights in Cyprus. Such rights would be enjoyed by airlines registered in the Republic of Turkey."

In paragraph 23 of your report of 1 July 1993 you confirmed that Mr. G. Clerides had accepted this provision.

Notwithstanding this, the said provision has been changed at the request of Mr. G. Clerides, without our consent, in the ideas as presented to us by your representatives on 9 and 21 March 1994.

Although the original text of this provision did not by design envisage the use of Nicosia International Airport by "Cyprus Airways", the present form of the ideas, by the deletion of the word "foreign", has been altered to enable the Greek Cypriot national carrier (Cyprus Airways) to use Nicosia International Airport. We do not and cannot accept this one-sided change. Our objection is not the result of mere emotional reaction. This change upsets the delicate internal balances of the package and is contrary to the basic philosophy, considerations and objectives of the whole exercise.

As you know, Nicosia International Airport is being reopened under United Nations administration as a "key benefit" to enable Turkish Cypriots to travel

overseas unhindered and direct because they have not been able to use Ercan for direct international flights hitherto. The same restriction, however, does not apply to the Greek Cypriot Larnaca airport. As such, the use of Nicosia International Airport by the Greek Cypriots cannot be seen as being part of the benefits envisaged within the context of the basic philosophy and objectives of the confidence-building measures exercise. Mr. G. Clerides, for political reasons and considerations, caused changes to be made to this provision of the package, which he had earlier accepted. This kind of approach is not compatible with the guiding considerations of the confidence-building measures package. On the other hand, Cyprus Airways, as a "national carrier", would take advantage of the privileged but unwarranted international status of the Greek Cypriot administration and would be able to use Nicosia International Airport under more advantageous terms as compared with the Turkish Republic-registered "Cyprus Turkish Airlines". Thus, under the guise of lifting economic obstacles on the Turkish Cypriot community, this change, in a subtle way, would amount to the extension of the jurisdiction of the Greek Cypriot administration to the now United Nations-controlled (and if the package is implemented United Nations-administered) Nicosia International Airport. You will appreciate that such a change is not compatible with the content, basic considerations and objectives of the confidence-building measures package, which was mutually accepted in principle by both sides.

Moreover, there are no restrictions in the provisions of the confidence-building measures package set out in your report of 1 July 1994 as regards the number of airlines registered in Turkey that would be able to use Nicosia International Airport. The attempt in the United Nations ideas to limit the number of Turkish-registered airlines entitled to enjoy traffic rights at Nicosia International Airport to "an agreed number" amounts to a substantive reduction of the benefits envisaged for the Turkish Cypriot community in the package.

A further change made in the ideas, which amounts to a further reduction of our agreed benefits, is that "the [United Nations temporary administration's] airport administrator will have authority to negotiate traffic rights for a Turkish Cypriot airline between Nicosia International Airport and overseas destinations". This provision is contrary to paragraphs 26 and 44 of your report of 1 July 1993, where there is no restriction on Turkish-registered airlines that will fly direct to overseas destinations.

The above-mentioned changes to the package clearly constitute a reduction in the "key benefits" specifically earmarked in the package for the Turkish Cypriot side.

3. Collection by the United Nations of customs duties in Varosha and Nicosia International Airport

The inclusion of customs duties in the jurisdiction of the United Nations administrators of Varosha and Nicosia International Airport is a surprise addition to the package, which has political and economic implications for the Turkish Cypriot community. The fact that customs formalities will be conducted by the two sides is confirmed in the reports of the international team of

experts, which envisage that the two sides will have satellite terminals at their respective entrances to Nicosia International Airport, where necessary immigration and customs formalities will be carried out (the International Civil Aviation Organization (ICAO) report of December 1993, executive summary para. 3, and paras. 4.1.2, 4.3.4 and 5.2).

4. Arrangements concerning travel between the United Nations-controlled buffer zone and the fenced area of Varosha

The following provision is made in your report of 1 July 1993 concerning travel between the United Nations-controlled buffer zone and the fenced area of Varosha (para. 38, fourth item):

> "Greek Cypriots and Turkish Cypriots would be able to enter the Area freely and without any formality".

The Turkish Cypriot side is prepared to take the necessary measures to comply with this provision and ensure that travel between the United Nations-controlled buffer zone and the fenced area of Varosha shall be free and without any formality. On 28 March 1994, to demonstrate the good will of the Turkish Cypriot side further, we presented your representatives in Cyprus with talking points, outlining free, secure and unhindered travel between the fenced area of Varosha and the United Nations-controlled buffer zone (see attachment). This outline even included an observation capacity for the United Nations, a constructive improvement that was not envisaged in the confidence-building measures package as set out in your report of 1 July 1993.

In the ideas presented to us on 21 March 1994, your representatives envisaged mandatory "unmanning procedures" in the area belonging to the Turkish Cypriot side between the southern perimeter of the fenced area of Varosha and the United Nations-controlled buffer zone. This concept and arrangement are not envisaged in the confidence-building measures package that you had asked us to accept in principle. Such an arrangement would result in Turkish Cypriot territory, comparable in size to the fenced area of Varosha itself, being taken out of the effective control and usage of the Turkish Cypriot side in addition to the fenced area. This is something that we cannot accept.

In addition to the above-mentioned four deviations from the package, as you no doubt know by now, the map given to us in Nicosia by your Deputy Special Representative, Mr. G. Feissel, on 19 May 1993 in respect to the fenced area of Varosha is different from the recent United Nations map presented to us on 11 March 1994 and, especially, the south-eastern boundary of this last map is significantly different from the actual closed and fenced area of Varosha that is the subject-matter of the package. All these deviations and additions make it extremely difficult for me to convince myself, my people and Parliament that we are talking about the package that I accepted with my letters of 20 and 28 January 1994.

I feel confident that you appreciate the legitimate concerns that I have outlined above and the need to adhere faithfully to the content and guiding

considerations of the confidence-building measures package. It is only then that we would have fulfilled the promises we made to our people on the basis of the confidence-building measures package that was set out in your report of 1 July 1993 and that we accepted in principle after lengthy public discussions in our community and Parliament.

In the above spirit I welcome the appeal in your report of 4 April 1994 to the two sides and others to continue high-level contacts in pursuit of an agreement.

I wish to reiterate the determination of the Turkish Cypriot side to adhere faithfully to the confidence-building measures package as set out in your report of 1 July 1993 and to continue to cooperate positively and constructively with your representatives with the objective of reaching a mutually acceptable agreement.

It is my expectation that in this phase of the proximity talks the distorted balance of "benefits and risks", which has come about through no fault of the Turkish Cypriot side, will be restored and that both sides will adhere faithfully to the content and the underlying guiding principles of the package to which both sides have agreed in principle.

I am confident you will give due consideration to the facts and considerations that I have brought to your kind attention and to the appeal that I make in this letter.

(Signed) Rauf R. DENKTAŞ
President

Attachment

Talking points dated 28 March 1994

Paragraph 38, item 4, of the report of the Secretary-General of 1 July 1993 (S/26026) provides that "Greek Cypriots and Turkish Cypriots would be able to enter the [fenced] Area [of Varosha] freely and without any formality". In the discussions leading to the identification of the key issues for the implementation of the confidence-building measures package, the Turkish Cypriot side displayed its good will by agreeing to the addition in the first key issue of the additional words "secure travel to and from the fenced area" (15 February 1994). Notwithstanding these specific provisions the United Nations non-papers of 9 and 21 March 1994 venture outside the parameters of the confidence-building measures package and introduce a new dimension envisaging the placing of an area completely outside the fenced area of Varosha (the road between the southern perimeter of the fenced area of Varosha and the United Nations-controlled buffer zone) under United Nations protection.

The placing of the passage between the southern perimeter of the fenced area of Varosha and the United Nations-controlled buffer zone under United Nations protection would in essence be contrary to the repeated assurances given by the Secretary-General and his representatives to the Turkish Cypriot side both in Nicosia and in New York.

The Turkish Cypriot side, bearing in mind the content of the package and the repeated assurances given by the Secretary-General and his representatives, in its desire to be positive, constructive and cooperative, has proposed that:

(a) The Turkish Cypriot side undertakes to ensure that Greek Cypriots will be able to enter and leave the fenced area of Varosha freely and without any formality and in an unhindered and secure manner;

(b) The point of entry on the existing road from the United Nations-controlled buffer zone leading to the fenced area of Varosha will be manned with Turkish Cypriot civilian police to ensure free, unhindered and secure travel;

(c) No formality whatsoever will be applied while entering or leaving the said point of entry (or exit);

(d) The United Nations will have an observation capacity from its observation post in the United Nations-controlled buffer zone of activities at the Turkish Cypriot point of entry (exit);

(e) United Nations personnel travelling between the southern perimeter of the fenced area of Varosha and the United Nations-controlled buffer zone will also be able to observe free, unhindered and secure travel along the said road;

(f) The Turkish Cypriot side commits itself to take appropriate action that may be necessary to improve further the sense of security of Greek Cypriots travelling to and from the fenced area of Varosha.

Considering that (a) in the "Arrangements for working out the modalities for the implementation of the package of confidence-building measures" (S/1994/262, annex II), both sides have undertaken to adhere faithfully to the content of the confidence-building measures package; (b) United Nations administrators will be submitting six-monthly reports on the implementation of the confidence-building measures agreement to the Secretary-General; and (c) there is a benefits and risks balance in the package elaborately worked out by the Secretary-General, the Turkish Cypriot side is convinced that the above arrangements to provide free and unhindered travel to Greek Cypriots to and from the fenced area of Varosha fully conform to the letter and spirit of the confidence-building measures package as set out by the Secretary-General in his report of 1 July 1993 to the Security Council.

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Forty-ninth session
Item 72 of the preliminary list*
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 2 May 1994 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to transmit attached herewith the text of a statement dated 30 April 1994 of the Ministry of Foreign Affairs of the Republic of Albania concerning the recent provocations of Greece against Albania (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under item 72 of the preliminary list, and of the Security Council.

(Signed) Pellumb KULLA
Permanent Representative

* A/49/50/Rev.1.

ANNEX

Statement issued on 30 April 1994 by the Ministry of Foreign Affairs of Albania

Yesterday, on 29 April 1994, the Chargé d'affaires of the Greek Embassy in Tirana, Mr. Tulupas, came twice to the Foreign Ministry of Albania and, on behalf of the Greek Foreign Minister, Mr. Karolos Papulias, in a provocative, slanderous and unethical manner, lodged a protest against the obstacles that the Ministry of Public Order had allegedly raised to the normal observance of Easter by the Albanian Orthodox community.

The Albanian Foreign Ministry regards this act as a provocative and premeditated one, that could be predicted following previous statements by the Greek authorities about their so-called concern as to whether the Orthodox Easter would be normally observed in Albania.

This provocation testifies to the presence of a clear link between these statements by the Greek authorities with regard to the Easter holidays and the act of the Greek diplomat in Tirana, and is aimed at spoiling the climate on the eve of the meeting of the two countries' foreign ministers at Zurich on 3 May 1994.

The Ministry of Foreign Affairs announces that all festive ceremonies connected with the Easter holidays of the Albanian Orthodox believers have been and will be normally observed, because Albanian legislation ensures and guarantees for citizens who are believers the freedom of belief and worship. No complaint has been lodged with the Albanian State authorities by any secular or church representative of the Orthodox community regarding any obstacle or difficulty connected with the observance of festive religious ceremonies.

We recall that the Albanian Orthodox Church is and will remain autocephalous, and any interference by the Greek Embassy on behalf of the Orthodox believers is aimed at violating its autocephalous status and is regarded as interference in the internal affairs of the Albanian State.

The statement of the Greek Government spokesman on 29 April 1994, after the religious ceremonies had been held normally, ill-intentionally distorts the truth and facts, constitutes an undignified tendency to manipulate religion, whose freedom has been guaranteed in Albania, and throws doubt on the will of the Government of Greece to hold the foreign ministers' meeting set for 3 May 1994 at Zurich, a meeting to which the Government of Albania was seriously committed. It holds that failure to hold the meeting does not serve the mutual interests of the two countries, even less so the region, and that responsibility for it will fall on the Government of Greece.

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2 May 1994

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LETTER DATED 2 MAY 1994 FROM THE CHARGÉ D'AFFAIRES, A.I. OF THE PERMANENT MISSION OF THE UNITED REPUBLIC OF TANZANIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statement of His Excellency Ali Hassan Mwinyi, President of the United Republic of Tanzania, dated 1 May 1994 on the situation in Rwanda.

I should be grateful if you would have the statement circulated as a document of the Security Council.

(Signed) Ulli K. MWAMBULUKUTU
Chargé d'Affaires a.i.

Annex

Talking notes by H.E. President Ali Hassan Mwinyi, to the group of ambassadors and high commissioners of the members of the United Nations Security Council and Observers to Rwanda peace talks

State House, 1 May 1994

I wish to thank you most sincerely for attending this meeting at short notice and on the weekend.

2. I have called you here this morning to express our grave concern and to exchange views on what to do concerning the continuing massacres in Rwanda.

3. The last three weeks have been particularly tragic for Rwanda and the subregion. As you know, the plane crash that resulted in the deaths of Presidents Habyarimana of Rwanda and Ntayamira of Burundi, set off a torrent of wanton massacres of innocent civilians.

4. Rwanda has since been bleeding and the region and Africa, as a whole, have been tormented by cries of innocent orphans, babies, women, the elderly and the helpless in general.

5. The last few days have witnessed a human chain of refugees crossing into Tanzania. As the counting continues, Tanzania expects to be home to about 500,000 new refugees from Rwanda, let alone a similar number my country has received from Burundi. It is a human tragedy of the highest magnitude; it is an affront to humanity.

6. Yet, at the height of the conflict in Rwanda and in the face of the horrors of the massacres, and as if the tragedy was of no concern to the international community, the United Nations Security Council passed resolution 912, downgrading the size of the UNAMIR from 2,500 to 270. This was one of the most unfortunate decisions by the United Nations Security Council and stands in sharp contrast to the peace-keeping efforts of the United Nations elsewhere.

7. Your Excellencies, amid all these disappointments from the United Nations, the countries of the region have continued to search for peace in Rwanda. As you know, last week we tried to arrange for peace talks in Arusha. These talks could not take place as the Representatives of the Interim Government of Rwanda failed to show up. The Rwanda Patriotic Front Representative also was not ready to negotiate.

8. However, after tireless consultations with neighbouring States and the parties to the conflict in Rwanda, I am happy to announce that both the Interim Government of Rwanda and the Rwanda Patriotic Front have agreed to attend peace talks in Arusha next Tuesday.

9. I wish to ask for your support at this crucial hour of tragedy in Rwanda.

10. Tanzania believes that failure to implement the Arusha Peace Agreement signed in Arusha last year is what has led Rwanda to the present tragedy.

11. Tanzania strongly believes that:

(1) The tragedy in Rwanda has once again demonstrated that traditional United Nations peace-keeping methods have outlived their utility. Where the very survival of humanity is at stake, where the outbreak and level of violence reaches enormous proportions to threaten the very fabric of human civilization and where ethnic conflicts might threaten international peace, the United Nations must be able to act promptly and decisively, including the possibility of stopping arms flow into Rwanda;

(2) We must have a cease-fire in Rwanda as soon as possible;

(3) Massacres must stop and any type of ethnic cleansing in Rwanda must stop. Tanzania calls upon the United Nations to take firm action to stop senseless killings;

(4) Tanzania wishes to express full support for the statement issued by the OAU Secretary General, Dr. Salim, calling for the United Nations to take firmer action on Rwanda and to increase the size of the peace-keeping force in that country;

(5) We also strongly support the most recent request of the United Nations Secretary-General to the United Nations Security Council calling for a review of resolution 912 which downsized the United Nations force in Rwanda, and we find the statement of the President of the Security Council in this regard most encouraging;

(6) Tanzania wishes to draw the attention of the United Nations and the international community at large to the urgency of the situation in Rwanda and the obligation of the international community -

(a) To arrange for emergency relief for internally displaced persons in Rwanda;

(b) To provide assistance to refugees who have crossed into Tanzania. This country alone is unable to handle this human tragedy;

12. Your Excellencies, the human family of nations must not only condemn the tragedy in Rwanda. It must also seek to change the situation in such a way that a more peaceful and dignified Rwanda emerges. That new Rwanda, in which everyone can live in peace, awaits us. That Rwanda and the subregion beckons to us. It is a resolution of the conflict we must strive to achieve.

I wish to thank you.

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ORIGINAL: ENGLISH

LETTER DATED 2 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a copy of the statement of the Personal and Plenipotentiary Representative of the Chairman of the Parliament, Head of State of the Republic of Georgia on the matters of Abkhazian Autonomous Republic Mr. Alexander Kavsadze.

I would be grateful if this statement is circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Permanent Representative
Ambassador Extraordinary
and Plenipotentiary

Annex

Statement

As you are aware, the dialogue connected with the comprehensive political settlement to the conflict in Abkhazia, the Republic of Georgia is continuing. The United Nations with the participation of the Russian Federation, as facilitator, and CSCE are trying to contribute to the achievement of positive results of the negotiations.

Despite this dialogue, the Abkhaz separatist leadership by means of its mass media agencies has started to spread various provocative rumours about actions of so-called Georgian terrorist groups in the region of Gali of the Abkhazian Autonomous Republic.

In addition, the local Abkhazian authorities declare that the Government of the Republic of Georgia has an intention to block the process of refugees return, stop the negotiations between the parties and restore its dominating role in the region by military intervention.

The Georgian Government condemns these accusations and cynic statements, considering them as a new attempt of present Abkhazian leadership to create a number of additional obstacles aiming at disrupting the refugees coming back to their native places and peaceful political solution of the conflict in the region.

The Georgian Government expresses its hope that the Security Council will take this fact into consideration and evaluate it accordingly.

Alexander Kavsadze
Personal and Plenipotentiary Representative
of the Chairman of the Parliament, Head of
State of the Republic of Georgia on the
matters of Abkhazian Autonomous Republic